



Atty. Dkt. No. 089048-0292

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Chih-Feng LIN  
Title: LACTOBACILLUS RHAMNOSUS STRAIN AND USES  
THEREOF  
Appl. No.: 10/624,495  
Filing Date: 07/23/2003  
Examiner: Not yet assigned  
Art Unit: 1632

**INFORMATION DISCLOSURE STATEMENT**  
**UNDER 37 CFR §1.56**

Mail Stop PATENT APPLICATION  
Commissioner for Patents  
PO Box 1450  
Alexandria, Virginia 22313-1450

Sir:

The USPTO has waived the requirement under 37 CFR 1.98(a)(2)(i) to submit copies of U.S. patents and U.S. patent application publications when citing and submitting an Information Disclosure Statements in a patent application filed after June 30, 2003 and in an international application that has entered the national stage under 37 USC §371 after June 30, 2003. Accordingly, copies of these types of documents are not being supplied in connection with this application. Reference is being made to Pre-OG Notice from Office of Patent Legal Administration dated July 25, 2003, *Information Disclosure Statements May Be Filed Without Copies of U.S. Patents and Published Applications in Patent Applications filed after June 30, 2003*.

Applicant submits herewith on Form PTO/SB/08 a listing of the documents cited by or submitted to the U.S. PTO in parent application Serial No. 09/686,067, filed 10/11/2000. As provided in 37 CFR §1.98(d), copies of the documents are not being provided since they were previously submitted to the United States Patent & Trademark Office in the above-identified parent application.

The submission of any document herewith, which is not a statutory bar, is not intended as an admission that such document constitutes prior art against the claims of the present application or that such document is considered material to patentability as defined in 37 CFR §1.56(b). Applicant does not waive any rights to take any action which would be appropriate to antedate or otherwise remove as a competent reference any document which is determined to be a *prima facie* art reference against the claims of the present application.





TIMING OF THE DISCLOSURE

The listed documents are being submitted in compliance with 37 CFR §1.97(b), before the mailing date of the first Office Action on the merits.

RELEVANCE OF EACH DOCUMENT

All of the documents are in English.

Applicant respectfully requests that any listed document be considered by the Examiner and be made of record in the present application and that an initialed copy of Form PTO/SB/08 be returned in accordance with MPEP §609.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 CFR §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741.

Respectfully submitted,

Date 30 April 2004

By Stephen A. Bent

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Substitute for form 1449B/PTO <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b> Date Submitted: <span style="float: right;">APR 30 2004</span> (use as many sheets as necessary)				<b>Complete if Known</b>	
				Application Number	10/624,495
				Filing Date	07/23/2003
				First Named Inventor	Chih-Feng LIN
				Group Art Unit	1632
				Examiner Name	Not yet assigned
Sheet	1	of	1	Attorney Docket Number	089048-0292

**U.S. PATENT DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number	Kind Code <sup>2</sup> (if known)			
		6,379,663		Gill	4/2002	
		5,908,646		Mayra-Makinen	6/1999	
		6,277,374		Vandenbergh	8/2001	
		6,180,100		Bruce	1/2001	
		5,474,932		Bengmark	12/1995	
		6,004,551		Reid	12/1999	

**FOREIGN PATENT DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document			Name of Patentee or Applicant of Cited Documents	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
		Office <sup>3</sup>	Number <sup>4</sup>	Kind Code <sup>5</sup> (if known)				

**NON PATENT LITERATURE DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.) date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>6</sup>
		WARD et al., "Differentiation of Lactobacillus Casei, Lactobacillus Paracasei and Lactobacillus Rhamnosus By Polymerase Chain Reaction", <i>Letters in Applied Microbiology</i> , Vol. 29:90-92 (1999).	
		JOHANSSON et al., "Administration of Different Lactobacillus Strains in Fermented Oatmeal Soup: In Vivo Colonization of Human Intestinal Mucosa and Effect on the Indigenous Flora", <i>Applied and Environmental Microbiology</i> , Vol. 59(1): 15-20, (1993).	
		RODTONG et al., "Differentiation of Lactobacillus Strains by Ribotyping", <i>Applied and Environment Microbiology</i> , Vol. 59(10):3480-3484, (1993).	
		ALANDER et al., "Persistence of Colonization of Human Colonic Mucosa By a Probiotic Strain, Lactobacillus Rhamnosus GG, After Oral Consumption", <i>Applied and Environmental Microbiology</i> , Vol. 65(1): 351-354, (1999).	

Examiner Signature	Date Considered	
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Unique citation designation number. <sup>2</sup> See attached Kinds of U.S. Patent Documents. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document.

<sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

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